

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DWIGHT DAVIS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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ORDER  
02-CR-173A

On April 8, 2005, defendant Dwight Davis was sentenced for his violation of possession with intent to distribute cocaine base in violation of 21 U.S.C. § 841(a)(1), to 37 months incarceration, to be followed by five years of supervised release. Defendant's term of supervised release commenced on February 15, 2008. On August 25, 2009, the defendant filed a motion for early termination of his supervised release. The government has responded to the motion requesting that the motion be denied at this time.

Upon consideration of the defendant's motion and the government's response, the motion is denied. The Court recognizes that it has the authority to grant the motion but finds that the motion should be denied at this juncture. The defendant has not even served half of his term of supervised release. Although his period of supervised release has been without incident so far, it is still very early in this period. The purpose of supervised release is to assist the defendant in transitioning back into society. It is in the defendant's best interest to continue at this juncture.

Accordingly, the motion for early termination is denied.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: March 1, 2010